FIL
COP

Memo

To: UP-75-018M, UP-75-018G, UP-75-018S, UP-75-018N

From: Kohar Kojayan, Assistant Planner KK

Date: March 1, 2010

Re: Whaler's Island Homeowners Association Removal of Prototypes Not Required

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On January 29, 2010, the Whaler's Island Homeowners Association requested to remove the following prototypes from the Whaler's Island Prototypical Design Guidelines:

- UP-75-018M - Air Conditioning Prototype (waterfront property)
- UP-75-018G & S - Skylights
- UP-75-018N - Sun Tunnels

These prototypes are not required pursuant to Planning Commission Policy P-1-94 approved and revised by the Planning Commission on January 21, 1999.

Whalers' Island Homeowners Association

c/o Mulqueeney & Associates
PO Box 4726
Foster City CA 94404
Telephone 650-574-3835
Facsimile 650-341-1140
E-mail Mulqueeney@sbcglobal.net

FILE COPY

January 29, 2010

Richard B. Marks, Community Development Director
City of Foster City
610 Foster City Boulevard
Foster City, CA 94404

Dear Mr. Marks:

On January 28, 2010, the Board of Directors ratified the Architecture Control Committee's recommendation to remove the following designs from the list of Approved Prototypes:

- Air Conditioning (waterfront property) (UP-75-018M)
- Balcony (UP-75-018LL)
- Skylights (UP-75-018G & S)
- Sun Tunnel (UP-75-018N)

Call if you have any questions.

Respectfully,

Dan James,
Managing Agent

cc: File

City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222
(650) 286-3200
FAX (650) 574-3483

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FOSTER CITY
RECEIVED
JAN 29 2010
PLANNING
DIVISION

Community Development Department
Property Improvement/Development Application

Planning/Code Enforcement Division staff will assist you in completing this application and can be reached at (650) 286-3225. Planning/Code Enforcement counter hours are 8 AM to 5 PM, Monday through Friday. You may also reach us at our email address: cdd@fostercity.org

LOCATION OF PROPERTY: Street Address(es) Whalers' Island HOA

BRIEF DESCRIPTION OF PROJECT: Remove UP-75-018M, UP-75-018LL, UP-75-018 GAS and UP-75-018N from Prototype List

NEW OR ADDITIONAL BUILDING SQUARE FOOTAGE: (if applicable) _____

PROPERTY OWNERSHIP		APPLICANT	
Name:	Whalers' Island HOA	Name:	
Company:	Mulqueeney & Assoc	Company:	
Address:	PO Box 4726 Foster City CA 94404	Address:	
Telephone:	650 574 5835	Telephone:	
Fax:	650-341-1140	Fax:	
Email:	mulqueeney@sbcglobal.net	Email:	

Please read all of the applicable sections of this two-page application and all information in the application information handout <u>before</u> signing this application.

TYPE OF PERMIT(S) REQUIRED

- ☐ Architectural Review Permit
- ☐ Architectural Review Amendment
- ☐ General Plan Amendment
- ☐ Negative Declaration/EIR
- ☐ Planning Commission Interpretation/Opinion
- ☐ Rezoning
- ☐ Preliminary Review
- ☐ Sign Permit
- ☐ Sign Use Permit
- ☐ Tentative Subdivision/Parcel Map
- ☐ Use Permit
- ☐ Use Permit Modification
- ☐ Variance
- ☒ Other Prototype Design Removal

FOR CITY COMPLETION:

Date Application/Fee received: _____

Received by: _____

Assessors Parcel No: _____

Amount Fee Paid: _____

File Number: _____

NOTES:

1. It is understood that any permit issued pursuant to this application will not grant any right or privilege to use any building or land contrary to the provisions of law or of any ordinance of the City of Foster City. All provisions of law and of ordinance governing the use of the aforesaid building or land will be complied with, whether specified or not.

2. The applicant or any interested aggrieved person may appeal the determination of the Community Development Director or the Planning Commission within ten (10) calendar days from the date of such determination. All appeals must be filed within ten (calendar) days after the decision of the Community Development Director or Planning Commission. The appeal must be in writing. The required appeal fee as adopted by the City Council must accompany an appeal to the Planning Commission of a decision of the Community Development Director (Planning Director) or an appeal to the City Council of a decision of the Planning Commission or it will be considered incomplete. Prior to submitting your appeal, please check with staff regarding the amount of the appeal fee due. A Building Permit will not be issued until after this 10-day appeal period. If an action of the Commission is appealed, the City Council will hear the appeal and render a final decision.

3. I understand that the requested approval is for my benefit (or that of my principal). Therefore, if the City grants the approval, with or without conditions, and that action is challenged by a third party, I will be responsible for defending against this challenge. I therefore agree to accept this responsibility for defense at the request of the City and also agree to defend, indemnify and hold the City harmless from any costs, claims or liabilities arising from the approval, including, without limitation, any award of attorneys fees that might result from the third party challenge.

4. *The applicant understands that projects reviewed by the Planning Commission and a few projects reviewed by staff are billed on a time and materials basis which means that all staff time spent reviewing the project and any extraordinary materials required to process the project are charged to the applicant. If staff time spent on a project exceeds the deposit (the initial application fee/deposit), the applicant will be billed accordingly.*

5. **It is understood that approval of this application does not constitute approval of construction plans from the Building Inspection Division, which must be applied for separately and subsequent to the approval of this application.**

6. Public Noticing: Use Permits, Variances, and some other applications require a Planning Commission Public Hearing, for which property owners within a 300-foot radius of the project must be notified. The Notice of Public Hearing must be mailed two weeks prior to the scheduled meeting. Some Architectural Review applications require that the applicant notify adjacent property owners before the application can be determined to be complete. Please refer to the Submittal Requirements for procedures.

7. Plan Preparation and Submittal Information: Prior to plan preparation and submittal, applicants are strongly encouraged to read as applicable, the: 1) Residential Property Improvements Information Package; 2) Major Property Development (relevant to environmental assessments, General Plan amendments, rezonings, tentative maps, vesting tentative maps, and use permits) handout; or: 3) Signs Application and Information handout. This information describes the type of plans required for all applications and the information to be contained on plans.

8. If an applicant has been notified in writing that his/her application is incomplete and the reasons why the application has been so deemed, and there is no resubmittal of required information for a period of six months from the date of notification, or no activity has occurred on the application for a period of six months, the Community Development Director or his/her designee shall deem the application withdrawn and so notify the applicant. The applicant may reapply at any time with a new application and filing fee.

9. The applicant and property owner hereby grant permission for City staff to enter and inspect the subject property as required to evaluate this application.

SIGNATURES – I, the undersigned owner (or authorized agent) of the property herein described, hereby make application for approval of the plans submitted and made a part of this application in accordance with the provisions of the City Ordinances, and I hereby certify that the information given is true and correct to the best of my knowledge and belief. I hereby certify that this application and supporting submittals is an application for a development permit and therefore subject to time limits for processing as established by State law. I have read all applicable sections of this application and other relevant information and understand what is required of me during this project review process.

Applicant: Whalers' Island Homeowners Association **Date:** 1/29/2010

Owner:* Dan Jones, Managing Agent **Date:** 1/29/2010

*If different than applicant, owner must either sign this application or attach a signed letter authorizing this application.